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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
10

11 WILLIAM GUY,

No. CIV S-03-1208-JAM-CMK-P

12 Plaintiff,

13 vs.

ORDER

14 D. KIMBRELL, et al.,

15 Defendants.
16 _____/

17 Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant
18 to 42 U.S.C. § 1983. Pending before the court is a motion for reconsideration (Doc. 29) of the
19 magistrate judge's May 10, 2007 order.¹

20 Pursuant to Eastern District of California Local Rule 72-303(f), a magistrate
21 judge's order shall be upheld unless "clearly erroneous or contrary to law." Upon review of the
22 entire file, the court finds that it does not appear that the magistrate judge's ruling was clearly
23 erroneous or contrary to law. The May 19, 2007 order is, therefore, affirmed.
24 _____

25 ¹ Plaintiff termed his document "Objection to Magistrates Order." (Doc. 29). The
26 order denying plaintiff's request for counsel was not executed as findings and recommendations
which allow for objections to be filed and reviewed by the district judge. Therefore, this court
will construe plaintiff's objections as a motion for reconsideration.

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The motion for reconsideration is denied (Doc. 29); and

3 2. The magistrate judge's May 10, 2007 order (Doc. 25) is affirmed.

4 IT IS SO ORDERED.

5 DATED: August 7, 2008

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7 /s/ John A. Mendez
8 UNITED STATES DISTRICT JUDGE
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